

GSA FOIA Public Liaison Job Description, Duties and Requirements

“FOIA Public Liaisons shall report to the agency Chief FOIA Officer and shall serve as supervisory officials to whom a [FOIA] requester . . . can raise concerns about the service the requester has received from the FOIA Requester Center, following an initial response from the FOIA Requester Center Staff. FOIA Public Liaisons shall be responsible for assisting in reducing delays, increasing transparency and understanding of requests’ current status, and assisting in the resolution of disputes.” 5 U.S.C § 552(l) (2012).

As detailed in the statute, FOIA Public Liaisons are supervisory officials charged with three over-arching duties:

- Assisting in reducing delays;
- Increasing transparency and understanding of the status of requests; and
- Assisting in the resolution of disputes.

The FOIA also assigns two specific responsibilities to FOIA Public Liaisons:

- When “unusual circumstances” exist and an agency provides the requester with an opportunity to limit the scope of the request or to arrange an alternative time for processing, agencies must make their FOIA Public Liaison available to assist in the process. See 5 U.S.C. § 552(a)(6)(B)(ii);
- When processing is completed and agencies issue their response, they must notify requesters of their right to seek assistance from the FOIA Public Liaison. See 5 U.S.C. § 552(a)(6)(A)(i)(II), (III)(bb).

While both FOIA Requester Service Centers and FOIA Public Liaisons provide information and assistance to requesters, by design they are two distinct entities. As originally conceived in Executive Order 13392, FOIA Public Liaisons “shall serve as supervisory officials to whom a FOIA requester can raise concerns about the service the FOIA requester has received from the Center, following an initial response from the Center Staff.” Exec. Order No. 13392, Sec. 2(c)(ii). Thus, FOIA Requester Service Centers are intended to be the first place where the public can go to get information about the FOIA generally or about a specific request. The FOIA Public Liaison is intended to supervise the Center and ensure a “service-oriented response to FOIA requests and FOIA-related inquiries.” Id. Decentralized agencies may have multiple FOIA Public Liaisons who, in turn, report as appropriate to the Chief FOIA Officer.

In addition to supervising the FOIA Requester Service Center, the responsibilities of FOIA Public Liaisons include both assisting individual requesters at various, designated points throughout the request process, and working more systemically to reduce delays.

As to working with individual requesters, two of the specific duties of the FOIA Public Liaison – increasing understanding of the status of requests, and assisting in narrowing requests when “unusual circumstances” exist – require the Liaison to be able to explain how requests are managed and tracked. Just as the FOIA Requester Service Center might do, the Liaison should be able to offer suggestions for limiting or altering the scope of a request so that it can be processed more quickly. As the request moves through the system, the FOIA Requester Service Center should be able to provide information as to the request’s status, but the FOIA Public Liaison should also be available to answer any questions about that status. Then, once a

determination is made on the request and a response letter is sent, the FOIA Public Liaison must be available and able to explain the agency's decision to any requester who has questions about it. This could include providing an explanation of the FOIA's exemptions and the reasons why some information is protected from release. Through all these interactions with requesters, FOIA Public Liaisons can increase understanding of the entirety of the FOIA process and resolve – or avoid – disputes.

FOIA Public Liaisons also have an overarching responsibility to work to reduce delays. There are multiple ways to approach this issue, both systemically and for any individual request. As to individual requests, FOIA Public Liaisons, along with their FOIA Requester Service Centers or the analyst assigned to the request in the first instance, have opportunities at several touchpoints in the lifecycle of the request where steps can be taken that will reduce delay. At the beginning of the process, the scope of the request sets the stage for the amount of time that will be needed to handle it. As processing commences, the number and types of searches that are necessary to locate responsive records will impact the time needed. As responsive documents are identified, if consultations are needed, that is yet another factor that implicates time. At all of these stages of the process, FOIA Public Liaisons, with the assistance of the FOIA Requester Service Centers, can collaborate with requesters to identify strategies and approaches to reduce the time needed to respond to the request.

At a more systemic level, FOIA Public Liaisons can undertake a number of activities to help improve timeliness in their FOIA operations. These can range from:

- Conducting self-assessments to identify areas where processes could be streamlined;
- Maximizing use of technology to facilitate processing of records;
- Utilizing processing metrics to stay on top of incoming requests;
- Regularly training and engaging with staff; and
- Publicizing proactive disclosures that might meet the public's need for information in the absence of a request.